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**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

MICROSOFT CORPORATION, a  
 Washington corporation,

Plaintiff,

v.

TINH NGUYEN, d/b/a PTKTCOMP and  
 tptcomputer.com, an individual; and JOHN  
 DOES 1-5,

Defendants.

Case No. SACV08-0499-DOC(RNBx)

**PERMANENT INJUNCTION  
 AGAINST DEFENDANT TINH  
 NGUYEN, d/b/a PTKTCOMP and  
 TPTCOMPUTER.COM; and**

**ORDER OF DISMISSAL**

THIS MATTER came before the Court upon the Stipulation of Plaintiff Microsoft Corporation's ("Microsoft") and defendant Tinh Nguyen, d/b/a PTKTCOMP and tptcomputer.com, ("Nguyen") for the entry of a Permanent Injunction and Order of Dismissal. Having considered the Stipulation, and having reviewed the files and records herein; the Court enters the following ORDER:

**PERMANENT INJUNCTION**

1  
2 1. Defendant Tinh Nguyen, doing business as PTKTCOMP and  
3 tptcomputer.com, and his agents, servants, employees, representatives, successors and  
4 assigns, and all those persons acting at his direction or control, are hereby  
5 **PERMANENTLY ENJOINED** and restrained from engaging in the following acts or  
6 practices:

7 (a) imitating, copying, or making any other infringing use or infringing  
8 distribution of the software and/or materials now or hereafter protected by the  
9 following copyright Certificates Registration Nos.:

10 (1) TX 5-407-055 ("Windows XP");

11 (2) TX 5-811-026 ("Windows 2003 Server"); and

12 (3) Other items or works protected by Microsoft registered  
13 copyrights;

14 (b) importing (to the United States), offering to the public, providing  
15 and trafficking in counterfeit and/or unauthorized Product Keys, knowing or having  
16 reason to know that such Product Keys (a) are primarily designed or produced for the  
17 purpose of circumventing technological measures that effectively control access to  
18 copyrighted Microsoft software, (b) have only limited commercially significant purpose  
19 or use other than to circumvent technological measures that effectively control access to  
20 copyrighted Microsoft software, or (c) are marketed by Defendant and persons acting in  
21 concert with Defendant for use in circumventing technological measures that effectively  
22 control access to copyrighted Microsoft software;

23 (c) using any false or misleading representation that can or is likely to  
24 lead the trade or public erroneously to believe that any software program, component,  
25 or item has been manufactured, assembled, produced, distributed, offered for  
26 distribution, circulation, sold, offered for sale, imported, advertised, promoted,  
27  
28

1 displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such  
2 is not true in fact;

3 (d) using reproductions, counterfeits, copies or colorable imitations of  
4 Microsoft's copyrighted and trademark protected software and other materials in the  
5 distribution, offering for distribution, circulating, sale, offering for sale, advertising,  
6 importing, promoting, or displaying of any merchandise not authorized or licensed by  
7 Microsoft;

8 (e) trafficking, distributing or intending to distribute any counterfeit or  
9 illicit Microsoft Product Keys, Product Key Labels, or any Microsoft documentation or  
10 packaging; and

11 (f) assisting, aiding, or abetting any other person or business entity in  
12 engaging in or performing any of the activities referred to in subparagraphs a through e  
13 above.

14 **ORDER OF DISMISSAL**

15 2. The Court further Orders that Microsoft's claims in this action against  
16 defendant Nguyen are dismissed, with prejudice and without attorneys' fees or costs.

17 3. The United States District Court for the Central District of California shall  
18 continue to have jurisdiction in this case to the extent necessary to enforce the  
19 Permanent Injunction and other agreed orders, and the Settlement Agreement and  
20 Release entered into by Microsoft and Nguyen.

21 IT IS SO ORDERED.

22  
23 DATED this 29th day of August, 2008.

24   
25 The Honorable David O. Carter  
26 United States District Judge  
27  
28

1 Presented by:

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3  
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14 PTKTCOMP and tptcomputer.com